

GOVERNMENT OF ANDHRA PRADESH
A B S T R A C T

SUITS –LA– SRSP– Karimnagar District – O.P.No.67/2002 pertaining to Gangipalli (V) Manakondur (M) - Sanction of decretal charges of **Rs.25,07,896/-** - Orders – Issued.

IRRIGATION & CAD (PW.LA.III.A1) DEPARTMENT

G.O.RT.NO. 971

DATE:15.12.2009

Read:

- 1) From the Special Collector, LA, SRSP, SSP &JCRGLIP, Tarnaka
Hyderabad Lr.No.E1/1032/2009, dt:01.10.2009.
- 2) From the Secy.to CCLA, AP, Hyd.Lr.No.SRP2/927/09, dt:17.11.09

O R D E R:

The Secretary to the Chief Commissioner of Land Administration, Andhra Pradesh, Hyderabad has submitted the proposals for sanction of decretal charges in respect of O.P.NO.67/02 pertaining to Gangipalli (V) Manakondur (M) of Karimnagar District. The then Land Acquisition Officer, LA Unit, Karimnagar has acquired the lands to an extent of Acs.8.37 gts for excavation of Sub-distributory canals in the limits of Gangipalli (V) Manakondur (M) of Karimnagar District by fixing the market value @Rs.6,700/- per acre vide Award No.10/90-91, dt:01.02.1991. Aggrieved with the market value awarded by the LAO, the awardees have filed petitions U/s.18 (1) of L.A.Act with a request to refer the matter to the Civil Court for adjudication. The Sr.Civil Judge, Karimnagar vide judgment and decree dt:24.03.2005 by enhancing the market value from Rs.6,700/- to Rs.35,000/- per acre. As the enhancement was more than 50% the Special Deputy Collector has filed an appeal. The Hon'ble High Court in its orders dt:29.10.2005 in L.A.A.S.M.P.No.4219/2005 in LA.AS No.1609/2004 has granted interim stay to deposit half of the decretal amount within a period of (8) weeks from the date of orders. Accordingly, an amount of Rs.6,49,372/- was sanctioned and deposited on 29.03.2008. Finally, the Hon'ble H.C in its order dt:13.04.2009 in A.S.No.1609/2005 confirmed the decree of the Lower Court while dismissing the appeal preferred by the State.

- 2) After careful examination of the matter, Government hereby accord sanction for an amount of **Rs.25,07,896/- (Rupees Twenty five lakhs Seven thousand Eight hundred and ninety six only)** in respect of O.P.No.67/02 pertaining to Gangipalli (V) Manakondur (M) of Karimnagar District subject to verification whether the reference under section 18(1) of the L.A.Act is made to the Lower Court after following all the guidelines/directions on the subject and in case it is detected that Section 18 reference was made contrary to the rules/guidelines issued by the Government/Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad immediate action should be taken to recover the loss sustained by the Government from the staff concerned and filing of restitution petition and also subject to confirmation of the Chief Engineer as to the extent of land acquired. Further, the Special Collector should verify the calculations made by the Land Acquisition Officer once again thoroughly with reference to the decree and instructions issued by the Government/Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad on the subject from time to time duly deducting the Income Tax as per rules before depositing the amount in Lower court.

(PTO)

3) The Special Collector, LA, SSP & JCRGLIP, Hyderabad is directed to follow the directions issued by the Hon'ble High Court on 30.04.2007 in W.P.No.2181 of 2005 in disbursement of the above sanctioned decretal charges to the rightful claimants in respect of O.P.No.67/02 for avoiding intervention of the middleman.

4) The expenditure sanctioned in para (2) above, shall be debitable to the following Head of Account under "2701 – Capital Out Lay – M&MI-01 – Major Irrigation – 116. SRSP Stage-I, Scheme included in Plan, G.H (11) Normal State Plan – S.H (27) Canals and Distributaries – 530 - Major works – 532 – Lands (charged). In case, the available budget provision is not sufficient to meet the present requirement, the expenditure shall be met initially by way of advance from contingency fund subject to surrendering an equal amount from voted grant.

5) This order issues with the concurrence of Finance (Works&Projects) Department vide their U.O.No.4629/F4(2)/2009-1, dated:08.12.2009.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ADITYA NATH DAS
SECRETARY TO GOVERNMENT

To

The Secretary to CCLA, A.P., Hyderabad.

The Special Collector, LA, SSP, JCRGLIP, Tarnaka, Hyderabad.

The Special Deputy Collector, LA Unit-I, LMD Colony, Karimnagar.

The Administrative-cum-Chief Engineer, SRSP, M.J.Road, Hyderabad.

The Director of Works Accounts, SRSP, Hyderabad.

Copy to: P.S. to Minister (M& MI).

Finance (W&P) Department/File C.No.25983/LA.III(A1)/2009.

SF/SCs

//FORWARDED::BY ORDER//

SECTION OFFICER